

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, August 13, 2024; 12:00 PM

Virtual Via Zoom:

<https://us02web.zoom.us/j/84869608008?pwd=MUhuMUNSUnp4WIZndk9tbXZiMIY1UT09>

AMID CONCERNS ABOUT THE SPREAD OF COVID-19 (CORONAVIRUS) WITHIN OUR COMMUNITY, AS AN ONGOING MITIGATION MEASURE, IN COMPLIANCE WITH CDC RECOMMENDATIONS, THE COMMISSION WILL HOST ITS NEXT MONTHLY MEETING, SCHEDULED FOR AUGUST 13, 2024, AT NOON THROUGH A VIRTUAL FORMAT. THIS ACTION HAS BEEN TAKEN DUE TO SAFETY CONCERNS ASSOCIATED WITH COVID-19. THE HEALTH AND SAFETY OF COMMUNITY MEMBERS, VISITORS, CUSTOMERS AND OUR STAFF AT THE DAVENPORT CIVIL RIGHTS COMMISSION IS ALWAYS A TOP PRIORITY. IT IS WITH THIS IN MIND THAT WE HAVE TAKEN THIS STEP TO MITIGATE THE POSSIBILITY OF COMMUNITY TRANSMISSION. IF YOU WOULD LIKE TO SIGN UP TO ATTEND OUR NEXT MEETING, PLEASE REGISTER IN ADVANCE FOR THIS MEETING - YOU WILL FIND THE LINK IN THE AGENDA UNDER ROLL CALL. AFTER REGISTERING, YOU WILL RECEIVE A CONFIRMATION EMAIL CONTAINING INFORMATION ABOUT JOINING THE MEETING.

I. Roll Call

Virtual Via Zoom:

<https://us02web.zoom.us/j/84869608008?pwd=MUhuMUNSUnp4WIZndk9tbXZiMIY1UT09>

II. Approval of Agenda

III. Approval of Minutes

A. June 2024 Meeting Minutes

B. July 2024 Meeting Minutes

IV. Director's Report

A. July 2024 Director's Report

B. July 2024 Case Status Report

V. New Business

A. Davenport Civil Rights Commission and Davenport Public Library MOU

B. E-0018-0009-21

VI. Old Business

VII. Public Comment and Presentation

VIII. Adjourn

IX. Next Meeting

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
June 2024 Meeting Minutes

Action / Date
8/13/2024

Attachments:

1. June 2024 Minutes

DAVENPORT CIVIL RIGHTS COMMISSION
Minutes of Regular Meeting
Tuesday, June 11, 2024; 12:00 PM

The Davenport Civil Rights Commission (DCRC) met at 12:00 p.m. Tuesday, June 11, 2024, online using Zoom. Commission Chair Michael Guster, presided.

COMMISSIONERS PRESENT:

Ethelene Boyd
Michael Guster
Frank Holley
Glenn Peterson
Charlene Upchurch-Taylor
Jeff Transou

COMMISSIONERS ABSENT

Angela Reyes

OTHER PERSONS PRESENT:

Director Lacey
Others from the community

AGENDA

Commissioner Guster called for the approval of the agenda. Commissioner Upchurch-Taylor made a motion to approve the agenda, Commissioner Holley second the motion. All Commissioners voted to approve the agenda.

APPROVAL OF MINUTES

A. April 2024 Meeting Minutes

Commissioner Holley made a motion to approve the April 2024 meeting minutes, it was seconded by Commissioner Upchurch-Taylor. All Commissioners approved the minutes.

B. May 2024 Meeting Minutes

Commissioner Boyd made a motion to approve the May 2024 meeting minutes, it was seconded by Commissioner Holley. All Commissioners approved the minutes.

REPORT OF THE DIRECTOR

Director Lacey stated there was no right to sue letters for the month of May. There were no cases settled in mediation or conciliation in the month of May.

The Director received the FOIA results for PRR-52-2024, however the results for PRR-149-2024 and PRR-171-2024 were incomplete. Director Lacey stated she is currently awaiting Iowa Public Information Board's (IPIB) update regarding 24FC0017.

Director Lacey attended a statewide Know Your Rights campaign planning meeting. The Director presented at Davenport U. The Director hosted a Protecting Places of Worship training for the Quad Cities region in collaboration with DOJ CRS, DCRC Commissioners, DCRC staff and members of the community on May 2, 2024. The Director attended the FY 2024 FHAP Rollout meeting with the Fair Housing Assistant and discussed increased funding. Director Lacey participated in a public hearing. Director Lacey met with community members to discuss a proposed rent abatement ordinance to the City Council. The Director attended a community meeting to learn more about the rent abatement ordinance.

The Director continued to follow up on the FY 2024/25 budget requests. The p/t Investigator position has still not been changed to f/t and the Housing Analyst position has not been added back to the budget to replace the Assistant Director position.

Director Lacey is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies to plan and schedule an upcoming training with the League of Iowa Civil and Human Rights Agencies, the initial proposed date will have to be postponed, we are currently selecting new dates.

The Director is working with DOJ CRS and Commissioners to set up training for DCRC Commissioners, there is a potential for the US Attorney to assist with this training as well. Director Lacey has also completed the research on an upcoming environmental justice and historical redlining report, and we are currently working on condensing the information.

Director Lacey stated that the Asst. Director/Housing Programs Manager resigned effective May 10, 2024, due to ongoing workplace harassment from City staff and elected/appointed officials.

The Director's new business involved discussing in-person meetings. Commissioner Guster brought up having quarterly in-person meetings. After some discussion, all Commissioners voted yes to in-person quarterly meetings starting in September of 2024.

Director Lacey stated there have been many housing intake no-shows. The Director stated she will continue to monitor that problem.

The Commission then discussed Juneteenth and getting table volunteers. There was discussion and a few Commissioners volunteered to help with the table at the Juneteenth Festival at LeClaire Park in Davenport.

Director Lacey mentioned the Cory Smith affidavit which involved the City's access to the Civil Rights Commissions files. The Director stated there were false statements made in the letter.

NEW BUSINESS

A. H-0008-0002-23

Director Lacey explained to the Commission that this was a housing case that included disability discrimination with the person's landlord wanting to charge a fee for a service animal. The Commission had some discussion and voted unanimously to take this case to public hearing.

Commissioner Boyd stated the Commission should acknowledge sympathies to the family of Brenda Drew-Peebles on her passing as she was the former Director of the Commission for many years, as well as a prominent citizen in our community. Director Lacey stated that a resolution will be drawn up for her and it would be read at her funeral service. It was discussed that Commissioner Reyes would be looking into getting a bench for Brenda Drew-Peebles to be placed at the courthouse. Commissioner Reyes also had told Director Lacey she would draft a report. Commissioner Peterson inquired about a public hearing notice to attend that event. Director Lacey stated she could send a notice out. Director Lacey also stated that she would be out of the office and gone from June 17th to July 8th.

OLD BUSINESS

None

PUBLIC COMMENT AND PRESENTATION

None

ADJOURN

Commissioner Guster called to adjourn the meeting, and it was adjourned unanimously by all Commissioners present.

NEXT MEETING

The next regular meeting of the Commission is July 9, 2024, at 12 noon.

Submitted by Jeff Transou, Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
July 2024 Meeting Minutes

Action / Date
8/13/2024

Attachments:

1. July 2024 Minutes

DAVENPORT CIVIL RIGHTS COMMISSION
Minutes of Regular Meeting
Tuesday, July 9, 2024; 12:00 PM

The Davenport Civil Rights Commission (DCRC) met at 12:00 p.m. Tuesday, July 9, 2024, online using Zoom. Commission Chair Michael Guster, presided.

COMMISSIONERS PRESENT:

Ethelene Boyd
Michael Guster
Glenn Peterson
Charlene Upchurch-Taylor
Jeff Transou

COMMISSIONERS ABSENT

Frank Holley
Angela Reyes

OTHER PERSONS PRESENT:

Director Lacey
Others from the community

AGENDA

Commissioner Guster called for the approval of the agenda. Commissioner Boyd made a motion to approve the agenda, Commissioner Transou second the motion. All Commissioners voted to approve the agenda.

APPROVAL OF MINUTES

There were no minutes to approve.

REPORT OF THE DIRECTOR

Director Lacey stated there was no right to sue letters for the month of June. One housing case settled in conciliation in the month of June, this case involved allegations of disability discrimination involving discriminatory statements. The case settled for monetary damages in the amount of \$1,000.00, satisfaction of a pending collection action and relief in the public interest.

Director Lacey stated she received the FOIA results for PRR-52-2024, however the results for PRR-149-2024 and PRR-171-2024 were incomplete. The Director stated that she is currently awaiting further Iowa Public Information Board's (IPIB) update regarding 24FC0017. This complaint, involving the City of Davenport's refusal to produce records pursuant to Iowa Code 22.2 (1) in PRR-52-2024, was accepted by the IPIB on March 21, 2024. The subsequently denied FOIA's (PRR-149-2024 and PRR-171-2024) were added to this complaint. The City's initial refusal seemed to be based upon the City attorney's analysis on the perceived relevancy of the information, as the Commission was issued a denial letter stating, "Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record." Iowa Code 22.2 (1). The purpose of a records request is not relevant." The subsequent denial was based upon the Assistant City Attorney's assessment that the FOIA requests were too similar to others submitted by members of the public. Upon receiving notification from IPIB that the two subsequent denials (PRR-149-2024 and PRR-171-2024) were being reviewed with the denial for PRR-52-2024, the City's outside counsel advised that they would be fulfilled, however there would be a charge for fulfilling the request for the Commission. We paid a \$40 deposit and an additional \$40 for staff time, however the documents received did not match the request and the W2's was all unlawfully redacted. We had not received an updated version as of 6/30/2024.

Director Lacey stated that she continues to monitor COVID-19 rates and its impact on office functions, especially since it's been on the uptick in our area.

Director Lacey continues to monitor a possible issue involving DCRC witness intimidation and retaliation.

The Director attended a League of Civil and Human Rights Agencies meeting. Public attacks on the community were discussed.

Director Lacey continued to follow up on the FY 2024/25 budget requests. The p/t Investigator position was not changed to f/t, as the city staff states that because they did not process the change that she requested in December 2023, they could not retroactively correct the harm for staff. Two budget meetings with City staff and the Director and two Commissioners were scheduled for July 25, 2024, at 5:30 p.m., and August 14, 2024.

The Housing Analyst position has been added back to the budget to replace the Assistant Director position.

Director Lacey stated she is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies to plan and schedule an upcoming training with the League of Iowa Civil and Human Rights Agencies, the initial proposed date will have to be postponed, we are currently selecting new dates.

Director Lacey told the Commission of two Civil Rights Commissioners in the office who saved someone's life from choking. The heroism of these two Commissioners was discussed by all and Commissioner Guster suggested them being recognized at a City Council meeting. All Commissioners agreed. Other ways of recognizing them were also discussed.

NEW BUSINESS

A. Resolution of Brenda Drew-Peebles

A resolution of Brenda Drew-Peebles was discussed by the Commission. It was signed by Commission Chair Guster. The Resolution was read at Brenda Drew-Peebles funeral by Director Lacey. Commissioner Boyd moved to approve the resolution; it was seconded by Commissioner Upchurch-Taylor. All Commissioners voted to approve the resolution.

OLD BUSINESS

None

PUBLIC COMMENT AND PRESENTATION

Commissioner Guster reiterated to Director Lacey to give our regards to the Commissioners who saved a life in the office by administering the Heimlich Maneuver to save their life. Commissioner Guster stated how admirable it was for them to do such a brave thing to step in and provide life saving assistance to a client in need. Commissioner Guster suggested an award of some type for their heroic efforts.

Commissioner Upchurch-Taylor asked about dates for the upcoming meetings. Director Lacey stated she would send out emails to the Commissioners.

ADJOURN

Commissioner Boyd made a motion to adjourn the meeting, Commissioner Upchurch-Taylor second the motion. All Commissioners approved the motion to adjourn the meeting. The meeting ended at 12:30 p.m.

NEXT MEETING

The next regular meeting of the Commission is August 13 , 2024, at 12 noon.

Submitted by Jeff Transou, Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
July 2024 Director's Report

Action / Date
8/13/2024

Attachments:

1. July 2024 Directors Report

DIRECTOR'S REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR July 2024

I. CASE STATUS

1. No "right to sue" letters were issued in the month of July.
2. Two housing cases and one employment case settled in mediation in the month of July. The housing cases were companion cases filed by unmarried partners, this case involved allegations of disability discrimination involving a failure to accommodate. The case settled for specific action and relief in the public interest. The employment case involved allegations of race discrimination and settled for monetary damages in the amount of \$6,150.00 and relief in the public interest.

II. OTHER ACTIVITY

1. Director completed case processing documentation.
2. Director received the FOIA results for PRR-52-2024, however the results for PRR-149-2024 & PRR-171-2024 were incomplete. We are currently awaiting further Iowa Public Information Board's (IPIB) update regarding 24FC0017. This complaint, involving the City of Davenport's refusal to produce records pursuant to Iowa Code §22.2(1) in PRR-52-2024, was accepted by the IPIB on March 21, 2024. The subsequently denied FOIAs (PRR-149-2024 & PRR-171-2024) were added to this complaint. The documents received did not match the request and the W2s were all unlawfully redacted. We had not received an updated version as of 07/31/2024.
3. Director worked on pre-hearing preparation.
4. Director continued to monitor COVID-19 rates and its impact on office functions.
5. Director worked on case resolution documents.
6. Director worked on litigation.
7. Director continues to monitor a possible issue involving DCRC witness intimidation and retaliation.
8. Director attended a League of Civil and Human Rights Agencies meeting.
9. Director met with city staff and contractors to review office update options.
10. Director is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies to plan and schedule an upcoming training with the League of Iowa Civil and Human Rights Agencies, the training is currently scheduled for September 24-25, 2024. The link to register was emailed to the Commission and League members. The Director is working with DOJ CRS and Commissioners to set up a training for commissioners during the training session.
11. Director continues to work on training related to the staffing realignment due to the forced departure of the Asst. Director/Housing Programs Manager.
12. Director, Chair, Vice Chair and Secretary met with Mayor Matson, Mallory Merritt, Jim Odean and Basia Gerlach regarding the ongoing issue with the FY24 budget correction.
13. Housing Analyst and Director finalized closures for HUD cases.
14. Housing Analyst worked on housing investigations.
15. Housing Analyst worked on housing inquiries.
16. Housing Analyst worked on case resolutions.
17. Civil Rights Specialist worked on intakes.
18. Civil Rights Specialist worked on case investigations.
19. Civil Rights Specialist worked on case resolutions.

III. OLD BUSINESS

1. Ongoing discrimination, harassment and bullying of Commission staff.
 1. Retaliatory actions against Commission staff and further examples of different treatment.
2. Legal Department refusal to accept Commission referral.
3. Use of racial slurs in City Hall. City's failure to initiate complaint investigation.
4. Investigation of hostile working environment.
5. New refusal to fulfill records requests, continuing the pattern and practice of harassment from the city's legal department.
6. Continued refusal to process vacation correction, despite receiving their legal opinion which clearly indicates that the Commission's procedure for processing the correction was appropriate.
7. Constructive discharge of Commission employees.
8. Refusal to process personnel actions.

IV. NEW BUSINESS

1. Upcoming Council Meeting with the Commission.

City of Davenport
Civil Rights Commission

Department: Civil Rights
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July 2024 Case Status Report

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Attachments:
None

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Civil Rights Commission

Department: Civil Rights

Contact Info: |

Subject:

Davenport Civil Rights Commission and Davenport Public Library MOU

Action / Date

8/13/2024

Attachments:

None

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
E-0018-0009-21

Action / Date
8/13/2024

Attachments:
None